

Date: Sun, 13 Jun 93 04:30:16 PDT
From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>
Errors-To: Ham-Policy-Errors@UCSD.Edu
Reply-To: Ham-Policy@UCSD.Edu
Precedence: Bulk
Subject: Ham-Policy Digest V93 #187
To: Ham-Policy

Ham-Policy Digest Sun, 13 Jun 93 Volume 93 : Issue 187

Today's Topics:

 Comments from NQ0I
 NQ0I Loses Big PRB-1 Antenna Case

Send Replies or notes for publication to: <Ham-Policy@UCSD.Edu>
Send subscription requests to: <Ham-Policy-REQUEST@UCSD.Edu>
Problems you can't solve otherwise to brian@ucsd.edu.

Archives of past issues of the Ham-Policy Digest are available
(by FTP only) from UCSD.Edu in directory "mailarchives/ham-policy".

We trust that readers are intelligent enough to realize that all text
herein consists of personal comments and does not represent the official
policies or positions of any party. Your mileage may vary. So there.

Date: 11 Jun 93 13:06:53 GMT
From: usc!math.ohio-state.edu!uwm.edu!linac!att!att!bigtop!drutx!druwa!
n2ic@network.UCSD.EDU
Subject: Comments from NQ0I
To: ham-policy@ucsd.edu

Here are a few comments from NQ0I on his recent PRB-1 Federal Court decision.
As you will see, the written decision conveniently left out a few facts.

N9FZX, I hope you are reading this!

The following are notes and clarification by NQ0I:

1. The "crank-up" tower mentioned in the decision was a recommendation
by the Land Use Department. It was never offered as such by the County,
but in any case it would have been rather pointless. The court did not
mention the restrictions that the Land Use Department placed on its
use: it must withstand 100 mph winds (with a KT34XA on top!); it could
be cranked up and used only in the hours between one hour after sunset

and one hour before sunrise, or during local emergencies.

2. Neighbours did not provide a single photograph to support the claim of the wonderful view; all the photographs submitted were mine, and they showed such items of breathtaking natural beauty as the 80 foot high electrical transmission line that runs within 600 feet of my property, the silo that is in the neighbourhood, and the trees _on neighbours' property_ (I don't have many trees, but they sure do) that would screen the proposed antenna.

3. No neighbour claimed that the antenna would impact his particular view; the complaint was always vague and general along the lines of not having a "visual pigsty" in the area.

4. One neighbour stood up and claimed that he knew someone who "has an antenna less tha 35 feet high and gets out just fine". This is called hearsay evidence and is unacceptable in court. Unfortunately, it is perfectly acceptable in local hearings. Naturally, one has no right to cross examine such people. All the expert testimony (even the County's) was that 35 feet was inadequate.

5. It was undisputed before the court that my current 35 foot (which is very carefully placed on my lot) obstructs views more than the proposed antenna (which would also be carefully placed; in a different place!) would have done.

6. The location referred to at which the County permitted a tower greater than 35 feet tall was NORR's 40 acre remote mountaintop site. They have actually permitted other antennas more than 35 feet high, but not in residential districts, and only NORR's case was included in evidence before the court.

7. One of the criteria an antenna needs to meet in Boulder County is that it be "compatible with the neighbourhood". The Land Use Department defines such compatibility not in terms of preexisting structures, but in terms of the response from the neighbours.

8. The Appeal court held that "the record is replete with evidence that Boulder County reasonably accommodate Evans' amateur communication goals". Interestingly, in an antiparallel statement, the District Court held that the record was _devoid_ of any attempt by the County to accommodate my needs.

Date: 11 Jun 93 14:11:32 GMT

From: sdd.hp.com!math.ohio-state.edu!uwm.edu!linac!att!att!bigtop!drutx!druwa!
n2ic@network.UCSD.EDU

Subject: NQ0I Loses Big PRB-1 Antenna Case
To: ham-policy@ucsd.edu

I have tried to refrain from getting personally involved in this, but N9FZX's idiotic remarks leaves me no choice.....

N9FZX said...

Did NQ0I ask his neighbors first, before applying? If not, he really failed to give adequate consideration to the concerns of his neighbors. All it really takes is a visit to the shack during a major natural disaster, especially if one of your neighbors happens to have a relative near the disaster. One converted neighbor can work wonders.

N2IC/0 replies...

The very issue of NQ0I's public service activities came up in several public hearings. The neighbors arguments were along the lines of

- 1) You don't need high antennas to help with local emergencies
- 2) We don't care about natural disasters in (Mexico City, Yugoslavia,... etc.)
- 3) And even if we did care about natural disasters on another continent, there are enough other high antennas in Boulder County to handle them. We don't need another high antenna !

N9FZX said...

I'd like to know what the reason for the 125' (or even the 80') tower was. Although the soil in Colorado is relatively poor, this is far less of a concern for horizontal antennas than verticals at HF.

N2IC/0 replies...

As any ham who has been active on the HF bands knows, for a horizontally polarized antenna, the "takeoff" angle of your main lobe is inversely proportional to the height of the antenna. At a height of 35 feet, on 20 meters, most of your signal is at too high of an angle to effectively work much DX. Whether you like it or not, DXing and contesting are "legitimate amateur [radio] interests", in the context of PRB-1.

N9FZX said...

Okay, have a look at the records for Point Reyes, CA, the wind capital of the US. The Coast Guard, AT&T, and MCI all operate coastal marine HF off the point, all with rhombics. (AT&T did a really nice monograph on how to build rhombics, published back in 1941.)

N2IC/0 replies...

First of all, see my previous point. On 20 meters, a 35 foot high rhombic has the same high radiation angle as a 35 foot high yagi. Secondly, rhombics are fine for point-to-point communications. Unless you have many rhombics, you're not going to be able to communicate in ALL directions. Thirdly, how big do you think 1.28 acres is ? About 225 feet by 225 feet. You'll have one hell of a time stringing up multiple, non-interacting HF rhombics on that size of property ! By the way, Boulder County also only allows ONE 35 foot tower per lot. How do you propose supporting all those rhombics, with the 10 foot high trees that NQOI planted ? Even if the trees were high enough, what kind of wire do you propose using that won't be breaking every time we have 100 MPH winds and the trees sway ?

N9FZX said...

You neglected the wording which required a "balance" between local concerns and the federal interest.

N2IC/0 replies...

You have obviously never read PRB-1 or my posting of the Federal Appeals Court decision ! PRB-1 says NOTHING about balancing. It DOES say "reasonably accommodate legitimate amateur interests". Even the Federal Appeals Court said that "balancing" was wrong ! Here is a repeat of the Federal Appeals Court text (since you didn't read it the first time I posted it !).

"The Board in drafting its resolution mischaracterized its responsibility to reasonably accommodate as a balancing test. ... We believe the balancing approach underrepresents the FCC's goals as it specifically selected the "reasonably accommodate" language."

N9FZX said...

Finally, the size of the tower *is* important to the rest of us.

N2IC/0 replies...

Who the hell is "us" ? If YOU don't like high towers, fine. But don't try to speak for the rest of "us" ! I thought that kind of mentality died with the demise of the USSR !

Steve London, N2IC/0
n2ic@drmail.att.com

End of Ham-Policy Digest V93 #187
